

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Janet Faye Adkins,)
Plaintiff,) Civil Action No: 3:16-cv-50
)
v.)
) Magistrate Judge Ovington
Nancy A. Berryhill,²)
Acting Commissioner)
of Social Security,)
Defendant.)

ORDER

This cause coming before the Court on the stipulation of the parties, due notice having been given, and the Court being fully advised, it is hereby ordered that:

- (1) Plaintiff is awarded \$2,693.75 for attorney fees in full satisfaction and settlement of any and all claims Plaintiff may have under the Equal Access to Justice Act (EAJA) in the above case. The award of attorney fees will satisfy all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412 in this case.
- (2) Any fees paid belong to Plaintiff, and not his attorney, and can be offset to satisfy pre-existing debt that Plaintiff owes the United States under *Astriue v. Ratliff*, 560 U.S. 586 (2010). If counsel for the parties can verify that Plaintiff owes no pre-existing debt subject to offset, Defendant will direct that the award be made payable to Plaintiff's attorney pursuant to an EAJA assignment duly signed by Plaintiff and counsel.

² Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Date: 10-6-17

Entered: Sharon L. Ogle